

leader in trying to convince countries not to build up their nuclear arsenals, to reduce rather than increase their nuclear arsenals. We ought to be the world's leader in saying not only stop nuclear testing, which we did a long while ago, but to have everyone, including this country, subscribe to the Comprehensive Nuclear Test-Ban Treaty.

Regrettably, this Senate turned down that treaty almost two years ago. However, this country still needs to be a leader to stop the spread of nuclear weapons. We need to be a leader in a way that helps persuade other countries not to build an offensive nuclear threat. Some people, including myself, think that is just daft for our country to say we would like to spend tens and tens of billions of dollars—some say the current proposal would be about \$60 billion, other people say it would be well over \$100 billion—to build a national missile defense system and in order to do so we will say to China, by the way, you go right ahead and build up your offensive nuclear capabilities.

What on Earth could we be thinking of? We need to push in the opposite direction. We need to say to China and Russia and others, which are part of the nuclear club in this world, that we want to build down, not up. We do not want to see an increase in offensive nuclear weapons.

This is exactly what many of us have feared, by the way. The discussion about abandoning the ABM Treaty, which has been the center pole of the tent for arms control and arms reductions, the abandonment of that which is being proposed by the White House and some of their friends in Congress, is a substantial retreat from this country's responsibility to be a leader in trying to stop and reduce the threat of nuclear war.

Is it really going to provide more security and more safety for this world if the administration says we do not care about an ABM Treaty, we will just abandon it and not care about the consequences. Or if the administration says we do not care if our building a national missile defense system of some type if it leads Russia to stop cutting its nuclear forces and if it leads China to have an offensive nuclear weapons buildup. Does it matter to us? It sure does.

Since the dismantlement of the Soviet Union well over a decade ago now, there have been really just two major nuclear superpowers. There were two nuclear superpowers involved in the cold war, us and the Soviets. Now we alone and the country of Russia have very substantial nuclear capability. It is estimated there are over 30,000 nuclear weapons in the arsenal of both countries, 30,000 nuclear weapons. We need to be reducing the threat of nuclear war. We need to be building down and reducing the stockpile of nuclear weapons. We ought not as a country be saying it does not matter much to us whether China builds up its offensive

nuclear weapon capability. It sure ought to matter to us. It will be a significant part of our future if we allow that to happen.

I hope we can have an aggressive discussion on this subject in the coming month or so. This country ought to care very much about whether the country of China is going to increase and build up its offensive nuclear capability. This country ought to care a great deal about that, and this country's policy ought not be giving a green light to other countries to say we do not mind. We should not be saying: You let us build a national missile defense, and we will just say you go right ahead and increase your stockpile of nuclear weapons. That is a policy that will not create a safer world, in my judgment.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. REED). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada.

ORDER OF PROCEDURE

Mr. REED. Mr. President, I ask unanimous consent that the Senator from Illinois be recognized for up to 10 minutes as in morning business, and if the Republicans wish 10 minutes of morning business following, I have no objection to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois is recognized.

BUDGET SURPLUS

Mr. DURBIN. Mr. President, most of us are returning today for the first time since the August recess. It was a period of time when we had a chance to spend a little vacation time with our families, and I was happy to be part of that process and to be reunited with my extended family and have a great time. It was also a time to be back in our States to travel around, to listen and to hear what is on the minds of the people we represent, and for a few of us a chance to perhaps take a few days to go overseas and to be part of the global dialog which comes with this job as much as our dialog with the people we represent.

In these past 4 weeks, we have been busy and most of us have enjoyed it, but now we are back to work. We come back to work with additional information and more views on the issues that we are about to debate. What a difference a month has made. Many of us did not believe in this short period of time there could be such a turn of fortune as we have seen occur with the recent report on the status of surpluses in our Federal budget.

It was not that long ago we were deep in red ink in Washington with deficits in every direction. We saw ourselves building up a national debt to \$5.7 trillion, a national mortgage which we still shoulder, a burden which we carry, and our children and grandchildren are likely to carry as well.

The good news, of course, starting in 1993 we began to turn the corner on that debt with an expanding positive economy, with the creation of jobs and new businesses, profits to build up retirement accounts. People were making more money and paying taxes, providing more revenue to the Government. We found ourselves in a surplus situation. We were exalting after so many years and years of deficits under President Reagan, President George Bush, and then for the first few years the Clinton administration. We finally came out of that dark veil and now we are in a position to enjoy the surplus.

The President who was elected last November, President George Bush, said the surpluses give an opportunity to enact a massive tax cut, one of the largest tax cuts in our history. Many members of his party, as well as a few on this side of the aisle, joined with the President to enact this tax cut, believing that the surpluses were virtually as far as the eye could see. Why not take this extra money in Washington and give it back to the people of the United States? The logic was simple. It seemed so clear.

Some Members believed that caution was the guide to which we should turn. Instead of spending a possible surplus, we should wait to see if the American economy would recover strongly, and how quickly, and whether it would generate a surplus, and before we committed the possible future surplus, we ought to take care, lest we find ourselves in a deficit situation.

We return in the first few days of September of the year 2001 to find President Bush's tax cut, in addition to the state of the American economy, has cost the projected surplus which the President said we would have. We find ourselves knocking on the door, without that surplus, going back into, if not a deficit, the situation where we have to go to trust funds in order to pay for the ordinary expenses of Government. Which trust funds? The largest—Medicare and Social Security. In a short period of time—just a few months—with this new President we have gone from the euphoria of surpluses to now worrying over whether or not we are going to endanger the Social Security trust fund. It tells you we have come very far very fast.

The tax rebates that many people have received in the last few weeks of \$300 and \$600 are welcome to many families who need to buy supplies for kids to go back to school this week, or clothing, or to pay off some of the debts they might have. It does not appear at this moment it will show any

great impact on the economy. A general tax cut that helps lower and middle-income families is one I have supported. I believe, as many do, that we should be very careful in how much of this projected surplus we dedicate to that tax cut until we are certain we have it in hand.

During the campaign, President Bush and many Members of Congress said that when we reached the tough times in the future, one area would be sacred: We would not reach into the Social Security trust fund to fund the ordinary expenses of Government. President Bush, much like his father, who said, "Read my lips, no new taxes," pronounced during the course of his campaign that as President he would not raid the Social Security nor the Medicare trust fund. Now we find ourselves perilously close to that situation after just a few months into the new Presidency.

Many of the conservative Republican writers are saying: Why are you worried about a Social Security trust fund? It is not that important. I think we know better. Those who notice every time we receive a paycheck there is more and more money taken out for Social Security have asked some hard questions. What is this all about? It is to shore up a surplus in Social Security to protect the future, the need for Social Security benefits for baby boomers and others. If we reach into that Social Security trust fund to take that money out now, it could endanger the liquidity and solvency of Social Security in years to come. That is irresponsible. It is wrong. We shouldn't be in this predicament.

Many of the conservative writers who say not to worry about protecting the Social Security trust fund do not have much passion for Social Security anyway. These are people who have criticized it in years gone by as a big government scheme taking too much money, one that we ought to change so people could invest in the stock market without much concern about the impact on those who are relying on it. Some 40 million Americans rely on Social Security. It is a major source of income for many. We should not take it lightly.

We are faced with a predicament as we return: How will we meet the obligations of Government and the requirements for new spending and do it without raiding Social Security and the Medicare trust fund? The President has said through his spokesman, Mitch Daniels of the Office of Management and Budget, that we have the second largest surplus in the history of the United States. He said this publicly, and they have said it many times. It is part of the George W. Bush administration's "don't worry, be happy" refrain.

I think Americans ought to think twice. The second largest surplus in our history is the Social Security trust fund surplus. It is money dedicated to Social Security. It is not the general revenue of this country to be spent on

everything that we might like. It should be protected. The Republicans come back and say: Wait a minute. In the deep dark days of the deficits, even Democratic Congresses spent the Social Security trust fund.

They are correct. And I can say we did some very desperate things in those years when we were seeing multibillion-dollar deficits, things we vowed we would never do again when we got into the era of the surplus. We came together on a bipartisan basis with over 400 votes in the House, a substantial majority in the Senate, and vowed we would never touch the Social Security trust fund once we had surpluses again.

Here we are, just a few months into the new administration, facing that kind of pressure. How do we take care of our national needs, whether it is the Department of Defense saying they need more modern weaponry to protect the United States or whether it is the needs of public education? The President said he would be an education President; he would find a bipartisan way to deal with it. And now we have a bill languishing in the conference committee because we have not come up with the funds to pay for education.

If you believe, as I do, that education is critical to the future of this country, we certainly should invest in it. But President Bush's decisions on tax cuts and other budget priorities have pushed us in a corner where precious few funds are available for the high priorities.

The same is true on prescription drugs under Medicare. Most promised we would work for a prescription drug benefit under Medicare—universal, voluntary—to help seniors pay for prescriptions, and now we find because of the Bush budget and the Bush tax cut that we have very few dollars available to even dedicate to a bipartisan national priority.

The same thing is true on energy policy. Just a few months ago, President Bush sent a message which said we ought to do something about our dependence on foreign energy sources, so let's invest more money in research to find alternative fuels, sustainable energy, ways to use coal in States such as Illinois in an environmentally responsible way. That takes money. We now turn to find that President Bush's budget and his tax policy have taken those funds off the table.

The same thing is true when it comes to the new farm bill. We hoped to have a new farm bill this fall. I hope we can. I have seen in Illinois and across my State what has happened to the farm economy over the last 4 or 5 years. If we are to have a new farm bill and dedicate resources to it, the obvious question is: Where will they come from?

When we look at the state of the economy in America today, people are rightfully concerned. The President went to speak to members of labor unions yesterday to tell them he felt their pain, their worry, and their an-

guish over the state of our economy. But what we need is real leadership from the President and from Congress on a bipartisan basis to come up with a roadmap and guidelines, so we can return to the era of economic growth and prosperity.

Over a period of 9 years, we saw a dramatic buildup in the American economy: Over 200 million new jobs, new businesses, more home ownership than any time in our history. Now, of course, we see this correction in our economy. We have lost a half-million jobs this year.

In closing, we have an opportunity in the weeks ahead to come together and concede the obvious. The Bush budget and the Bush tax policy were things that, frankly, should have been put off until we were certain of the surpluses we would have. Now we know those surpluses do not exist.

It is time for us to come together on a bipartisan basis to rewrite this budget to meet our Nation's priorities and protect the Social Security and Medicare trust funds.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXPORT ADMINISTRATION ACT OF 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now begin consideration of S. 149, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 149) to provide authority to control exports and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Export Administration Act of 2001".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—GENERAL AUTHORITY

Sec. 101. Commerce Control List.

Sec. 102. Delegation of authority.

Sec. 103. Public information; consultation requirements.